Jerry Holly
13204 Duley Station Road
Upper Marlboro, MD 20772

CITATION AND NOTIFICATION OF PENALTY

We believe that you violated the Animal Welfare Act (7 U.S.C. § 2131 et seq.) (AWA), as described below.

Date of Violation: March 30, 2010

9 C.F.R. § 2.126(b) Access and Inspection of Records and Property. The use of a room, table, or other facilities necessary for the proper examination of the records and inspection of the property or animals must be extended to APHIS officials by the dealer, and a responsible adult shall be made available to accompany APHIS officials during the inspection process.

> You failed to have a responsible adult available at 10:25 a.m. to accompany APHIS officials during an inspection.

Date of Violation: May 13, 2010

9 C.F.R. § 2.75 Records: Dealers and Exhibitors. Each dealer shall make, keep, and maintain records or forms which fully and correctly disclose the following information concerning each animal purchased or otherwise acquired, owned, held, or otherwise is his or her possession or under his or her control, or which is transported, euthanized, sold, or otherwise disposed of by that dealer.

> You failed to provide records for 2 lions in your possession during delivery to a Class C licensee in Spring Hill, Florida.

Date of Violation: May 13, 2010

9 C.F.R. § 3.137(a) Primary Enclosures Used to Transport Live Animals. No dealer shall transport, in commerce, any live animal in a primary enclosure which does not conform to the following requirements: (a) Primary enclosures shall be constructed in such a manner that (1) the structural strength of the enclosure is sufficient to contain the live animals and to withstand the normal rigors of transportation; and (1) the interior of the enclosure shall be free from any protrusions that could be injurious to the live animals contained therein.

> You transported a male African lion from Miami, Florida to a Class C licensee in Spring Hill, Florida. Upon arrival, APHIS observed torn sheet metal on the floor of the enclosure, that had apparently been torn from one side of the enclosure, which had sharp, protruding edges. The lion had a raw area on its head and blood dripping from the side of its mouth. APHIS also observed blood in the primary enclosure used for transport.

Date of Violation: August 5, 2010

9 C.F.R. § 3.80(a)(2)(i) Primary Enclosures. Primary enclosures must be designed and constructed of suitable materials so that they are structurally sound for the species of nonhuman primates contained in them. Primary enclosures must be constructed and maintained so that they have no sharp points or edges that could injure the nonhuman primates.

> You failed to maintain enclosures without sharp points, as evidenced by the sharp nail-points facing inward in the primary enclosures, wire mesh attached to the enclosures in such a manner that sharp points were exposed, and ground-buried mesh that had been uncovered and thus exposed sharp points.

Date of Violation: December 16, 2010

9 C.F.R. § 2.126(b) Access and Inspection of Records and Property. The use of a room, table, or other facilities necessary for the proper examination of the records and inspection of the property or animals must be extended to APHIS officials by the dealer, and a responsible adult shall be made available to accompany APHIS officials during the inspection process.

> You failed to have a responsible adult available at 9:00 a.m. to accompany APHIS officials during an inspection.

Date of Violation: March 16, 2011

9 C.F.R. § 3.80(a)(2)(i)) Primary Enclosures. Primary enclosures must be designed and constructed of suitable materials so that they are structurally sound for the species of nonhuman primates contained in them. Primary enclosures must be constructed and maintained so that they have no sharp points or edges that could injure the nonhuman primates.

> You failed to maintain enclosures without sharp points in direct contact with the nonhuman primates, as evidenced by the sharp mesh wiring facing inward around the drinking dispensers, sharp rusted wire pointed inward in enclosures, and sharp wires on a broken screen protruding inward within the capuchins' enclosure.

Date of Violation: May 3, 2011

9 C.F.R. § 2.75 Records: Dealers and Exhibitors. Every dealer shall make, keep, and maintain records or forms which fully and correctly disclose the following information concerning animals purchased or otherwise acquired, owned, held, leased, or otherwise in his or her possession or under his or her control, or which is transported, sold, euthanized, or otherwise disposed of by that dealer.

> You did not have records for the disposition of three camels that you transported for sale on March 31, 2011. You did not have records of the actual date of sale or the purchaser's information.

Date of Violation: May 3, 2011

9 C.F.R. § 3.125(a) Facilities, General. Structural Strength. The facility must be constructed of such material and of such strength as appropriate for the animals involved. The indoor and outdoor housing facilities shall be structurally sound and shall be maintained in good repair to protect the animals from injury and to contain the animals.

> You failed to replace boards that were missing on the walls and repair or replace plywood sheets that had been chewed in the camel barn.

Date of Violation: May 10, 2011

9 C.F.R. § 3.76(c) Indoor Housing Facilities. Lighting. Indoor housing facilities must be lighted well enough to permit routine inspection, cleaning of the facility, and observation of the nonhuman primates.

> You failed to ensure lighting fixtures within the indoor facility, housing nonhuman primates, were in working order.

Date of Violation: May 10, 2011

9 C.F.R. § 3.78(b) Outdoor Housing Facilities. Shelter from the Elements. Outdoor housing facilities for nonhuman primates must provide adequate shelter from the elements at all times.

> You failed to provide adequate shelter for the nonhuman primates. Some of the nonhuman primates did not have any shelter structures in their enclosures. Others had shelter structures, but the entrances to those structures were closed. APHIS observed a capuchin climbing the side of its enclosure to obtain shade.

Date of Violation: May 10, 2011

9 C.F.R. § 3.80(a)(2) Primary Enclosures. General Requirements. Primary enclosures must be constructed and maintained so that they have no sharp points or edges that could injure the nonhuman primates, contain the nonhuman primates securely, and prevent accidental opening of the enclosure.

> You failed to ensure that the enclosure housing Saki (nonhuman primates) would contain the animals securely. APHIS observed a Saki loose outside of its primary enclosure. It later observed the animal back in its enclosure during the inspection. You also failed to maintain enclosures without sharp points in direct contact with the nonhuman primates, as evidenced by the sharp mesh wire-points facing inward and rusted jagged metal siding within reach of the animals.

Date of Violation: May 10, 2011

9 C.F.R. § 3.83 Watering. Water receptacles must be kept clean and sanitized as often as necessary to keep them clean and free of contamination.

> You failed to keep the water dispensers clean. APHIS observed accumulations of dirt and algae on them.

Date of Violation: October 18, 2011

9 C.F.R. § 2.75 Records: Dealers and Exhibitors. Every dealer shall make, keep, and maintain records or forms which fully and correctly disclose the following information concerning animals purchased or otherwise acquired, owned, held, leased, or otherwise in his or her possession or under his or her control, or which is transported, sold, euthanized, or otherwise disposed of by that dealer.

You failed to maintain records regarding the disposition of three camels.

Date of Violation: January 23, 2012

9 C.F.R. § 3.75(c)(1) Housing Facilities, General. Surfaces. The surfaces of housing facilities – including perches, shelved, swings, boxes, houses, dens, and other furniture-type fixtures or objects witin the facilitiy – must be constructed in a manner and made of materials that allow them to be readily cleaned and sanitized, or removed or replaced when worn or soiled. Any surfaces that come in contact with nonhuman primates must be free of excessive rust that prevents the required cleaning and sanitization, or that affects the structural strength of the surfaces.

You failed to replace or repair metal door framing and metal sliding tracks framing entrances to shelters that had become rusted and had bubbling paint.

Date of Violation: January 23, 2012

9 C.F.R. § 3.80(a)(2) Primary Enclosures. Primary enclosures must be designed and constructed of suitable materials so that they are structurally sound, in good repair, and have no sharp points or edges that could injure the nonhuman primates.

You failed to maintain enclosures such that they had no sharp points that could injure the nonhuman primates, as evidenced by the sharp mesh wire-points facing inward, rusted jagged metal siding, a long rusty nail head protruding inward from a support post, rusty nails, and loose and/or missing nuts and bolts.

Date of Violation: January 23, 2012

9 C.F.R. § 3.125(a) Facilities, General. Structural Strength. The facility must be constructed of such material and of such strength as appropriate for the animals involved. The indoor and outdoor housing facilities shall be structurally sound and shall be maintained in good repair to protect the animals from injury and to contain the animals.

You failed to maintain fencing around the pastures containing zebra, camels, alpaca, and llama, as evidenced by broken boards, boards separated from posts, and long sharp nail points.

Date of Violation: March 12, 2012

9 C.F.R. § 3.80(a)(2) Primary Enclosures. Primary enclosures must be designed and

constructed of suitable materials so that they are structurally sound, in good repair, and have no sharp points or edges that could injure the nonhuman primates.

> You failed to maintain enclosures such that they had no sharp points, as evidenced by mesh with sharp wire points facing inward and sharp ends of screws. You failed to maintain the exteriors of the housing shelters, which had rotten, decomposing, and splintering wood.

Date of Violation: April 26, 2012

9 C.F.R. § 3.75(c)(3) Housing Facilities, General. Cleaning. Hard surfaces with which nonhuman primates come in contact must be spot-cleaned daily and sanitized to prevent accumulations of excreta and disease hazards.

> You failed to remove excessive accumulations of fecal matter on the ground in the enclosure housing rhesus macaques and from the floors and hanging platforms in enclosures housing celebes and a mandrill.

Date of Violation: April 26, 2012

9 C.F.R. § 3.80(a)(2) Primary Enclosures. Primary enclosures must be designed and constructed of suitable materials so that they are structurally sound, in good repair, and have no sharp points or edges that could injure the nonhuman primates, protect the nonhuman primates from injury, contain the nonhuman primates securely, and keep other unwanted animals from entering the enclosure or having physical contact with the nonhuman primates.

> You failed to maintain enclosures such that they had no sharp points, as evidenced by a loose screw in a door flap, sharp mesh wire points facing inward, a small coil of wire on the floor in the celebes enclosure, sharp ends of wire near a door in the lemur area, and exposed screws on the outside of a shelter structure. You also failed to repair Styrofoam insulation which was exposed and could cause injury to the nonhuman primates if ingested, and a large hole under the panel separating the enclosures housing lemurs and capuchins.

Date of Violation: April 26, 2012

9 C.F.R. § 3.131(a) Sanitation. Cleaning of Enclosures. Excreta shall be removed from primary enclosures as often as necessary to prevent contamination of the animals contained therein, to minimize disease hazards, and to reduce odors.

> You failed to remove accumulations of feces from the enclosure housing a kangaroo, which were so pervasive that the kangaroo could not sit, lay, or stand without coming in contact with the feces.

Date of Violation: June 7, 2012

9 C.F.R. § 2.75 Records: Dealers and Exhibitors. Each dealer shall make, keep, and maintain records or forms which fully and correctly disclose the following information concerning each animal purchased or otherwise acquired, owned, held, or otherwise is his or her possession or

under his or her control, or which is transported, euthanized, sold, or otherwise disposed of by that dealer.

> You failed to have complete records available during this inspection for animal acquisitions and dispositions.

Date of Violation: June 7, 2012

9 C.F.R. § 3.76(c) Indoor Housing Facities. Lighting. Indoor housing facilities must be lighted well enough to permit routine inspection, cleaning of the facility, and observation of the nonhuman primates.

> You failed to ensure light fixtures within the facility were in working order.

Date of Violation: June 7, 2012

9 C.F.R. § 3.78(b) Outdoor Housing Facilities. Shelter from the Elements. Outdoor housing facilities for nonhuman primates must provide adequate shelter from the elements at all times.

> You failed to provide outdoor shelter for the nonhuman primates because the facility closed the entrances to the shelter structures.

Date of Violation: June 7, 2012

9 C.F.R. § 3.80(a)(2) Primary enclosures must be designed and constructed of suitable materials so that they are structurally sound for the species of nonhuman primates contained in them. Primary enclosures must be constructed and maintained so that they have no sharp points or edges that could injure the nonhuman primates, protect the nonhuman primates from injury, contain the nonhuman primates securely, prevent accidental opening of the enclosure, and keep other unwanted animals from entering the enclosure or having physical contact with the nonhuman primates.

> You failed to ensure that the enclosure housing ruffed lemurs would contain the animals securely, as evidenced by a young ruffed lemur that escaped its primary enclosure and that APHIS observed loose outside of its primary outdoor enclosure. You also failed to maintain enclosures such that they had no sharp points, as evidenced by loose screws hanging from a door flap. You also failed to remove Styrofoam insulation that was scattered in enclosures and could be ingested and cause injury to animals. You also failed to repair a large hole under the panel separating the enclosures housing lemurs and capuchins.

Date of Violation: June 7, 2012

9 C.F.R. § 3.83 Watering. Water receptacles must be kept clean and sanitized as often as necessary to keep them clean and free of contamination.

> You failed to keep the water dispensers clean. APHIS observed accumulations of dirt and algae on them.

Date of Violation: July 19, 2012

9 C.F.R. § 3.75(c)(3) Housing Facilities, General. Cleaning. Hard surfaces with which nonhuman primates come in contact must be spot-cleaned daily and sanitized to prevent accumulations of excreta or disease hazards.

> You failed to spot-clean hard surfaces daily, as evidenced by excessive accumulations of fecal matter on the ground, hanging platforms, resting shelves, inside of shelters, in and around a playhouse, in mesh wire dividing enclosures, and along the backsides of enclosures housing nonhuman primates.

Date of Violation: July 19, 2012

9 C.F.R. § 3.76(c) Indoor Housing Facilities. Lighting. Indoor housing facilities must be lighted well enough to permit routine inspection, cleaning of the facility, and observation of the nonhuman primates.

> You failed to ensure light fixtures were in working order.

Date of Violation: July 19, 2012

9 C.F.R. § 3.78(b) Outdoor Housing Facilities. Shelter from the Elements. Outdoor housing facilities for nonhuman primates must provide adequate shelter from the elements at all times.

> You failed to provide adequate shelter for the nonhuman primates, because the facility closed off the entrances to the shelter structures. APHIS observed nonhuman primates that did not have access to shelter apparently trying to take cover from heavy rain in other ways, including a celebes that hunched in the corner of an enclosure and a Mangabey that crouched inside the frame of a blocked shelter entrance.

Date of Violation: July 19, 2012

9 C.F.R. § 3.80(a)(2)) Primary Enclosures. General Requirements. Primary enclosures must be designed and constructed of suitable materials so that they are structurally sound for the species of nonhuman primates contained in them. Primary enclosures must be constructed and maintained so that they have no sharp points or edges that could injure the nonhuman primates, protect the nonhuman primates from injury, and enable all surfaces in contact with the nonhuman primates to be readily cleaned and sanitized, or replaced when worn or soiled.

> You failed to provide and maintain enclosures such that they had no sharp points, as evidenced by wire mesh with exposed points, exposed screws, and exposed nails in the enclosures. You failed to repair an area under the panel used to separate the enclosures for the lemurs and capuchins that had been dug out, resulting in exposed wire mesh. You failed to remove the Styrofoam insulation scattered in enclosures, that could be ingested and cause injury to the animals. You also failed to ensure the surfaces could be readily cleaned and sanitized, by failing to repair or replace metal panels and metal supports that had accumulations of rust.

Date of Violation: July 19, 2012

9 C.F.R. § 3.83 Watering. Water receptacles must be kept clean and sanitized as often as necessary to keep them clean and free of contamination.

> You failed to keep water dispensers clean. APHIS observed accumulations of algae and dirt on them.

Date of Violation: July 19, 2012

9 C.F.R. § 3.84(d) Cleaning, Sanitization, Housekeeping, and Pest Control. Pest Control. An effective program for control of insects, external parasites affecting nonhuman primates, and birds and mammals that are pests, must be established and maintained so as to promote the health and well-being of the animals and reduce contamination by pests in animal areas.

> You failed to provide an effective program of pest control, as evidenced by rodent burrows and rodent droppings within the facility.

Date of Violation: August 31, 2012

9 C.F.R. § 2.40(b)(3) Attending Veterinarian and Adequate Veterinary Care (Dealers and Exhibitors). Each dealer or exhibitor shall establish and maintain programs of adequate veterinary care that include daily observations of all animals to assess their health and well-being and a mechanism of direct and frequent communication so that timely and accurate information on problems of animal health, behavior, and well-being is conveyed to the attending veterinarian.

> You failed to conduct daily observations of the animals housed at the facility, and specifically, had failed to observe that a male vervet had an open wound on his tail and communicate this information to the attending veterinarian.

Date of Violation: August 31, 2012

9 C.F.R. § 3.75(c)(1) Housing Facilities, General. Surfaces. The surfaces of housing facilities including perches, shelves, swings, boxes, houses, dens, and other furniture-style fixtures or objects within the facility must be constructed in a manner and made of materials that allow them to be readily cleaned and sanitized, or removed or replaced when worn or soiled.

> You failed to replace or repair wooden resting shelves within enclosures that had become soiled.

Date of Violation: August 31, 2012

9 C.F.R. § 3.75(f) Housing Facilities, General. Drainage and waste disposal. Housing facilities must be equipped with drainage that allows animal wastes and water to be rapidly eliminated and allows animals to stay dry

> You failed to provide proper drainage, as evidenced by standing water and muddy and wet areas within enclosures.

Date of Violation: August 31, 2012

9 C.F.R. § 3.80(a)(2) Primary Enclosures. General Requirements. Primary enclosures must be designed and constructed of suitable materials so that they are structurally sound for the species of nonhuman primates contained in them. Primary enclosures must be constructed and maintained so that they have no sharp points or edges that could injure the nonhuman primates and so that they protect the nonhuman primates from injury.

> You failed to maintain enclosures such that they had no sharp points of wire mesh, jagged siding, screws, and jagged metal. You also failed to remove the Styrofoam insulation scattered in enclosures, that could be ingested and cause injury to the animals.

Date of Violation: September 19, 2012

9 C.F.R. § 2.40(b) Attending Veterinarian and Adequate Veterinary Care (Dealers and Exhibitors). Each dealer or exhibitor shall establish and maintain programs of adequate veterinary care that include: The availability of appropriate methods to prevent, control, diagnose, and treat diseases and injuries and a mechanism of direct and frequent communication with the veterinarian so that timely and accurate information on problems of animal health, behavior, and well-being is conveyed.

> You failed to contact the attending veterinarian regarding a female vervet with a red, raw, wet wound behind her left ear and a lesion on her right knee.

Date of Violation: September 19, 2012

9 C.F.R. § 3.84(b) Cleaning, Sanitization, Housekeeping, and Pest Control. Sanitization of primary enclosure. Primary enclosures containing material that cannot be sanitized such as sand, gravel, dirt, absorbent bedding, grass, or planted areas, must be sanitized by removing the contaminated material as necessary to prevent odors, diseases, pests, insects, and vermin infestation.

> You failed to remove accumulations of soiled bedding and dirt from the enclosure housing vervets. The vervets housed in this enclosure had open wounds that could have been infected by the soiled materials.

Date of Violation: September 24, 2012

9 C.F.R. § 3.84(b) Cleaning, Sanitization, Housekeeping, and Pest Control. Sanitization of primary enclosure. Primary enclosures containing material that cannot be sanitized such as sand, gravel, dirt, absorbent bedding, grass, or planted areas, must be sanitized by removing the contaminated material as necessary to prevent odors, diseases, pests, insects, and vermin infestation.

> You failed to remove accumulations of soiled bedding and dirt from the enclosure housing the female vervet. The vervet housed in this enclosure had an open wound that could have been infected due to the soiled materials.

Date of Violation: October 30, 2012

9 C.F.R. § 2.126(a) Access and Inspection or Records and Property. Each dealer, exhibitor, intermediate handler, or carrier, shall, during business houses, allow APHIS officials to examine records required to be kept by the Act and the regulations.

> You failed to provide acquisition records for gibbons, spider monkeys, and giraffes during the inspection of the facility.

Date of Violation: October 30, 2012

9 C.F.R. § 3.80(a)(2) Primary Enclosures. General Requirements. Primary enclosures must be designed and constructed of suitable materials so that they are structurally sound for the species of nonhuman primates contained in them. Primary enclosures must be constructed and maintained so that they have no sharp points or edges that could injure the nonhuman primates and protect the nonhuman primates from injury.

> You failed to maintain enclosures such that they had no sharp points, as evidenced by wire mesh with sharp points, screws, and a plastic resting shelf with broken, jagged edges. You failed to removed the Stryfoam insulation scattered in enclosures, that could be injested and cause injury to the animals.

Date of Violation: October 30, 2012

9 C.F.R. § 3.84(a) Cleaning, Sanitization, Housekeeping, and Pest Control. Cleaning of Primary Enclosures. Excreta and food waste must be removed from inside each indoor primary enclosure daily and from underneath them as often as necessary to prevent an excessive accumulation of feces and food waste. Dirt floors, floors with absorbent bedding and planted areas in primary enclosures must be spot cleaned with sufficient frequency to ensure all animals the freedom to avoid contact with excreta to reduce disease hazards, insects, pests, and odors. A used primary enclosure must be sanitized before it can be used to house another nonhuman primate or group of nonhuman primates.

> You failed to remove feces and food waste from enclosures and shelters, as evidenced by numerous nonhuman primate enclosures with feces and food debris. You failed to ensure an enclosure that housed a male macaque was sanitized prior to introducing the currently housed ruffed lemurs.

Date of Violation: October 30, 2012

9 C.F.R. § 3.125(a) Facilities, General. Structural Strength. The facility must be constructed of such material and of such strength as appropriate for the animals involved. The indoor and outdoor housing facilities shall be structurally sound and shall be maintained in good repair to protect the animals from injury and to contain the animals.

> You failed to replace boards that were missing or damaged on the shelter for the enclosure for the antelope, and broken fence boards surrounding the giraffe and zebra enclosures. You failed to replace or repair broken mesh wire fencing in the zebra and bongo enclosures.

Date of Violation: February 20, 2013

9 C.F.R. § 2.126(a)(2) Access and Inspection or Records and Property. Each dealer, exhibitor, intermediate handler, or carrier, shall, during business houses, allow APHIS officials to examine records required to be kept by the Act and the regulations.

> You failed to allow APHIS to examine records. You failed to provide acquisition or inventory records for the Patagonian cavies, and the disposition records for the giraffe.

Date of Violation: February 20, 2013

9 C.F.R. § 3.75(c) Housing Facilities, General. Surfaces. The surfaces of housing facilities including perches, shelves, swings, boxes, houses, dens, and other furniture-style fixtures or objects within the facility must be constructed in a manner and made of materials that allow them to be readily cleaned and sanitized, or removed or replaced when worn or soiled. All surfaces must be maintained on a regular basis. Surfaces of housing facilities that cannot be readily cleaned and sanitized, must be replaced when worn or soiled.

> You failed to clean and sanitize, or replace wooden resting shelves within enclosures that had become soiled.

Date of Violation: February 20, 2013

9 C.F.R. § 3.78(b) Outdoor Housing Facilities. Shelter from the Elements. Outdoor housing facilities for nonhuman primates must provide adequate shelter from the elements at all times.

> You failed to provide adequate outdoor shelters for the nonhuman primates. The plastic barrel structures were not adequate to provide protection from wind, extreme cold, and rain.

Date of Violation: February 20, 2013

9 C.F.R. § 3.80(a)(2) Primary Enclosures. Primary enclosures must be constructed and maintained so that they have no sharp points or edges that could injure the nonhuman primates.

> You failed to maintain enclosures without sharp points in direct contact with the nonhuman primates, as evidenced by the sharp mesh wiring facing inward in several enclosures, and sharp wires protruding from a hole in the gibbon enclosure.

The penalty for the alleged violation(s) described above is $12,143.